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<b>To: Assistant Commissioner for Patents</b>	<b>From: Estella Pineiro Patent Administrator 818/493-2251</b>
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<b>Telecopier: 703/305-8568</b>	<b>Telecopier: 818/362-4795</b>
<b>RE: RESCISSION OF PREVIOUS NONPUBLICATION REQUEST (35 USC 122(b)(2)(B)(ii) Applic. No. 10/810,437 Filed: 03/26/2004 Docket No. A04P1029</b>	<b>Number of pages being sent: <u>2</u> (including cover page)</b>

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PTO/SB/36 (08-04)

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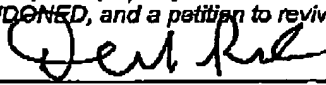
**RESCISSION OF PREVIOUS NONPUBLICATION  
REQUEST  
(35 U.S.C. 122(b)(2)(B)(ii))  
AND, IF APPLICABLE,  
NOTICE OF FOREIGN FILING  
(35 U.S.C. 122(b)(2)(B)(iii))**Send completed form to:  
Mail Stop PG Pub  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 305-8568

Application Number	10/810,437
Filing Date	03/26/2004
First Named Inventor	Gene A. Bornzin
Title	SYSTEM AND METHOD FOR EVALUATING HEART FAILURE BASED ON VENTRICULAR END-DIASTOLIC VOLUME USING AN IMPLANTABLE MEDICAL DEVICE
Any Docket Number	A04P1029
Art Unit	3762
Examiner	Unassigned

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).



4/6/05

Signature

Date

Derrick W. Reed, Attorney for Applicant(s)

40,138

Typed or printed name

Registration Number, if applicable

818-493-2200

Telephone Number

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703)605-4283 or by e-mail at PGPub@USPTO.gov.

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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Name (Print/Type) Estella Pineiro

Date

4/6/05

This collection of information is required by 37 CFR 1.213(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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